

**MINUTES
COLUMBUS PLAN COMMISSION MEETING
JULY 5, 2006 AT 4:00 P.M.
MEETING HALL, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA**

Members Present: Dave Fisher (President), Steve Ruble, Dave Bonnell, Brian Russell, Joan Tupin-Crites, Jesse Brand, Tom King, Jack Heaton, John Hatter and Tom Finke (County Liaison).

Members Absent: Pat Zeigler and Mark Gerstle.

Staff Present: Jeff Bergman, Sondra Bohn, Thom Weintraut, Laura Thayer and Alan Whitted (Deputy City Attorney).

CONSENT AGENDA

Minutes of the June 7, 2006 meeting.

Motion: Mr. Heaton made a motion to approve the minutes. Mr. Bonnell seconded the motion and it carried unanimously by voice vote.

OLD BUSINESS REQUIRING COMMISSION ACTION

RZ-06-03: TIPTON LAKES REZONING – a request by Tipton Lakes Company Inc. to rezone three properties as follows: (1) a property of 47 acres from R-5 (Urban Residential), R-7 (Multi Family Residential) and B-1 (Neighborhood Business) to R-3 (Single Family Residential), (2) a property of 17 acres from R-7, B-1, and SU-2 (Special Use – Schools) to R-5; and (3) a property of 14 acres from R-3, R-5, R-7, B-1, and SU-2 to R-2 (Single Family Residential). The properties are located north of Goeller Boulevard, between Tipton Lakes Boulevard and County Road 475 West in the City of Columbus.

Ms. Thayer presented the staff information on this request.

Mr. Jeff Marshall with Westlake Hills Development, LLC and Don Michaels with Tipton Lakes Company represented the petitioners.

Mr. Michaels stated he would like to add a couple of items to the staff's report. He stated there is an existing school site that was established in 1979 and under today's existing standards is not large enough for a school. He stated they had worked with the Bartholomew County School Corporation and they now need 15 acres or more for an elementary school. Mr. Michaels stated they also sent letters to the adjoining property owners informing them of the change that is being proposed. He stated some of the property was being down sized from R-7 to R-2 or R-3. He stated that reduction is a positive thing.

Mr. Fisher opened the meeting to the public.

Mr. Homer Crank stated he lived on State Road 46 West and would like to know when the Tipton

Lakes Boulevard would be connecting to State Highway 46 West. Mr. Crank also wanted to know how close this development was to his residence.

Mr. Michaels stated that there was seventy-five acres of land that separated this property from Mr. Crank's house. He stated that roads would be extended under the City's current Master Plan and that Tipton Lakes Boulevard will be extended. He stated that this part touches the first extension to Tipton Lakes Boulevard. Mr. Michaels stated that more detail would be presented to the Plan Commission as they move forward with the platting process. He stated they are actively studying the possibilities of a pond, which would retain some of the run off water in the area. He stated more information would be forthcoming at a later date. Mr. Michaels stated that the area directly across from Mr. Crank is currently zoned Industrial. He stated they would be coming back to the Plan Commission to request a different zoning. He stated this site would work for a school and someone had already approached them regarding a church there.

Mr. Crank asked where 475 West was located on the map. Mr. Michaels stated it was unlikely that 475 West would completely extend through the development. He stated most of the traffic would be on Tipton Lake Boulevard to State Road 46 West. Mr. Michaels stated that the State Highway would have to approve any new driveway cuts on a state highway.

Mr. Fisher closed the meeting to the public.

Mr. Bergman stated that staff would recommend sending a favorable recommendation to the City Council for this request.

Motion: Mr. Heaton made a motion to send this request to the City Council with a favorable recommendation. Ms. Joan Tupin-Crites seconded the motion and it carried with a vote of 9-0.

PP-06-05: SPRUCE RIDGE MAJOR SUBDIVISION: – is a request by Todd Conwell, Conwell Properties, LLC, to subdivide 50.57 acres into 70 lots. The property is located at the southeast corner of the intersection of Goeller Boulevard and Goeller Court in the City of Columbus.

Mr. Thom Weintraut presented the staff information on this request.

Mr. E.R. Gray with E.R. Gray and Associates and Todd Conwell represented the petitioner.

Mr. Gray stated that he had met with the Planning Staff and resolved some of the issues. He stated they would agree to (approval with conditions) if the Plan Commission would approve the request. He stated they would like some input from the Plan Commission members regarding what they are expecting for this subdivision. He stated they had met with David Goins an adjoining property owner and discussed his concerns. Mr. Gray stated they had met most of the objectives that Mr. Goins would like to see happen. Mr. Gray passed out some new drawings to the Plan Commission members.

Mr. Fisher stated it would be appropriate to go through the issues one at a time.

Mr. Gray stated the first item was regarding two access points to the subdivision. He stated that has been addressed by adding a boulevard from Spruce Valley Drive down to Black Hills Drive. He stated the cross section shows the sidewalk, separation between the sidewalk and the right of way and five and a half feet of separation from the curb to the sidewalk. He stated that there was a seven-foot medium strip. Mr. Gray stated the boulevard was proposed for this section of the subdivision.

Mr. Gray stated item two had been acceptable to the Planning Department at the last meeting, which was a 26-foot street width.

Mr. Gray stated in regards to issue three, the plan has been reviewed by the Fire Department and found to be acceptable.

Mr. Gray stated the applicant is requesting relief from installing sidewalks on lot 65 frontage on Two Mile House Road.

Mr. Gray stated that item five addresses the 2 centerline radi of 100 feet; the ordinance requires a minimum of 200 feet for centerline radius. He stated the Plan Commission was in agreement with the modification of 2 centerline radi of 100 feet.

Mr. Gray stated that access easements to Blocks C, D, E and F are less than 50 feet wide and have been approved by staff. They are maintenance easements and will not have access to residential property.

Mr. Gray stated that items seven and eight would be addressed together. He stated they had met with the owner David Goins and talked about what he would like to have accomplished with access to this property. He stated that Mr. Goins might want to subdivide his property in the future and was in agreement with this request.

Mr. Gray stated that they do not want to provide improvements on the southeast side of this property. He stated that is going to be dedicated in the future as access to the Terrace Lake property. He stated that they have been asked to build an approach to a future road and do not want to do that. Mr. Gray stated they could gain access to Lots 25 & 26 from the proposed roadway, which is Colorado Way and Black Hills Drive.

Mr. Fisher asked if Mr. Goins, the owner of Lot 1 in Runge Subdivision, would be using the cul-de-sac to gain entrance to his property. Mr. Gray stated he was uncertain about that. Mr. Bergman stated that there is a stub street that goes to Mr. Holmes property and there would be an opportunity for him to reconfigure his driveway among other things if he chooses to do so.

Mr. Fisher asked why they were not willing to provide the stub street going south. Mr. Gray stated that one of the issues was that in talking with the Terrace Lake residents they did not want the stub street. Mr. Gray stated they have a letter stating that the street would be improved if they develop in the future. Ms. Tupin-Crites stated she remembered this conversation from the previous meeting.

Much discussion was held regarding access to different parcels.

Mr. Fisher asked who would maintain the unimproved portion of the dedicated right of way.

Mr. Gray stated that the owners of Lots 25 & 26 would be responsible for maintenance and this would be written in the restrictions and covenants.

Mr. Ruble stated their concern was the lots were going to have to be accessed off sub standard curves and Lots 25 & 26 would be accessed off the sub standard street.

Mr. Conwell stated that he had received a letter from Barry Caswater, President of Terrace Lake

Realty. He indicated if they ever wanted to connect to the existing Spruce Ridge or Colorado Way, they would pay the costs.

Mr. Fisher stated that one issue was the second access to the subdivision as it is proposed. He stated that the Plan Commission had requested a second access and a boulevard have been submitted. He stated that there is a cluster of 49 lots, which still have only one access off a boulevard. He stated that Mr. Gray has proposed the boulevard as the solution to serve all of the 49 lots. Mr. Fisher stated it was up to the Plan Commission to decide if this is acceptable.

Ms. Tupin-Crites asked if two cars could pass on one side of the boulevard.

Mr. Gray stated it would be close.

Mr. Ruble stated that in an emergency the counter flow is acceptable for that length.

Much discussion was held regarding the involvement of the homeowners Mr. Fields, Mr. Holmes and Mr. Goins and how their property would play a part in developing this subdivision

Mr. Brand asked if the Fire Department had approved the site plan.

Mr. Gray stated he had not talked with the Fire Department in regards to the boulevard, but in the overall subdivision, he stated the cul-de-sacs, turnarounds, etc. would fall within the ability for the Fire Department to negotiate.

Ms. Tupin-Crites stated she thought the boulevard was a logical give and take solution. She stated that she felt the stub street at the south end was not necessary and Terrace Lake residents have agreed with this at the last meeting.

Mr. King stated that he had concerns about the entrance off Goeller in regards to visibility, the curves, and whether there would be another place for better accessibility off Goeller.

Mr. Ruble stated that the difference with this access point and the access point off 25 South entrance is on the inside of the curve. He stated the current access that is proposed is on the outside of the curve and is visible from both approaches. He stated that this entrance meets all the requirements for a safe intersection. He stated they would install a left turn lane in the medium and acceleration and deceleration lanes would be installed

Much discussion was held regarding easements and dedication of right of way.

Mr. Fisher opened the meeting to the public.

Mr. Don Michaels with Tipton Lakes Company stated that twenty-five years ago they developed Tipton Lakes Boulevard in conjunction with the City of Columbus. He stated with this road development there was a direct benefit to Terrace Lake Road with the site distance to the east and west. Mr. Michaels expressed concern about the number of lots developed at this site.

Mr. Scott Walters expressed concern about the traffic that the new subdivision would create.

Mr. Scott Crowder expressed concern about the traffic from the new subdivision trying to access Goeller during rush hour traffic.

Ms. Melissa Keiffer expressed concern about the width of Two Mile House Road. She also expressed concern about the entrance being adequate into the subdivision.

Mr. Fisher closed the meeting to the public.

Mr. Bergman stated that staff would recommend a continuance. He stated that staff needed time to review the new proposals.

Motion: Mr. King made a motion to continue this request to the next meeting. Mr. Ruble seconded the motion and it carried with a vote of 9-0.

Mr. Heaton left the meeting at this time.

SU-06-09: FAITH MINISTRIES SPECIAL USE REZONING- a request by Faith Ministries Inc., to rezone a property of 5.25 acres from AG (Agriculture) to SU-1 (Churches), and for approval of a Special Use Site Plan.. The property is located at 5103 State Road 46 West in Columbus Township.

Ms. Laura Thayer presented the staff information on this request.

Mr. Ted Darnell with Crowder & Darnell and Pastor Jarvis Cooper with Faith Ministries represented the petitioners.

Mr. Darnell stated that the church is currently located at 10th and Marr Road in the City of Columbus. He stated that the long-range plans are to build a church on this property, but for now, they are proposing to use the existing residence as a church. Mr. Darnell stated there is no definite plan for the remainder of this property. He stated this was presented as a preliminary plan to get some input from the Plan Commission. Mr. Darnell stated there were additional details to be presented, such as drainage and the improved entrance.

Mr. Darnell stated they had proposed to leave the existing drive open that now serves the house that will be used as the church. He stated the structure would revert to a residence once the church is built. Mr. Darnell stated that the driveway has existed for many years.

Mr. Darnell stated they are proposing no sidewalks at this time.

Mr. Darnell stated that the parking lot and drives would be paved.

Mr. Darnell stated the site would remain the same as it is now. He stated the church has a congregation of approximately fifty members and will be using the church twice a week. He stated the majority of the traffic would be to the west of the building. He stated the building would be used as a buffer to the property to the east, in addition to the existing trees.

Mr. Darnell stated they had spoken to Mr. Larry Scott with INDOT in regards to the requirements for the driveway entrance and he said there would not be a problem to upgrade the existing drive.

Mr. Darnell stated the drainage would remain the same as it is now and will flow to the south. He stated at the appropriate time a drainage plan would be presented to the City Engineer's Office.

Mr. Darnell stated City Utilities were a key issue. He stated it was not desirable to annex this property into the City. Mr. Darnell stated they would be applying to the Utility Review Committee

to extend the City utilities to the site.

Mr. Bergman stated that they would be required to sign a waiver for annexation if City Utilities are extended to the site.

Mr. Ruble asked what the distance was between the proposed improved driveway and the driveway at the existing house. Mr. Darnell stated he did not know. Mr. Ruble stated that the Thoroughfare Plan states that 600-foot of separation between the two drives is needed and he stated this could not be met. Mr. Ruble asked if it were possible to share the improved drive thru an access easement arrangement to serve the house. Mr. Darnell stated that would be possible.

Mr. Fisher asked if there would be a problem with the residence reverting back to a house.

Mr. Bergman asked Mr. Cooper if he had any plans for the residence at this time.

Mr. Cooper stated that it was his opinion that the residence would be used in conjunction with the church.

Mr. Bergman stated at the time the site plan was brought in for review, the issue of the residence would be addressed.

Mr. Fisher stated it was his opinion that the driveway to the house should be closed.

Mr. Fisher opened the meeting to the public.

Mr. Fisher read into the record from Charles E. & Emily Corbin expressing concern regarding drainage and traffic on State Road 46 West.

Mr. Michaels asked who would determine where the appropriate turn lanes off State Road 46 West would be located after the church is constructed. Mr. Bergman stated that under the current ordinance, it states that construction of a new church building would constitute a Major Modification to their Special Use Site Plan and Plan Commission would have the opportunity to review all aspects of the development of the property. He stated INDOT has jurisdiction over the driveway.

Mr. Fisher closed the public hearing.

Mr. Ruble stated that if the church has a new improved driveway the drive to the house should be closed. Mr. Fisher stated he agreed. Mr. Darnell asked for clarification on what closing the drive would mean. Mr. Ruble stated that would be physically removing the driveway.

Discussion was held regarding drainage and Mr. Darnell stated that a plan would be filed at the time of construction of the church.

Mr. Fisher stated there is additional lighting proposed on the property and if signage was requested it would need to comply with the Ordinance.

Mr. Bergman asked the petitioners if they were in agreement with closing the driveway.

Mr. Darnell stated that they would prefer to barricade the driveway at this point and give some flexibility in the future. Mr. Ruble stated that it was his intention that this drive would never be opened and this is the reason for the closure of the drive. He stated future access to the house would have to come from the improved drive.

Mr. Bergman stated that staff would send a favorable recommendation to the City Council with the following conditions: (1) The parking lot and drive will be paved, (2) The drive will comply with INDOT standards, (3) A drainage plan will be provided to the City Engineer's Office, (4) The property will connect to City Utilities, (5) The sign is not to exceed six feet in height and (6) Permanent closure of the driveway leading to the residence.

Motion: Mr. Brand made a motion to send a favorable recommendation to the City Council with the following conditions: (1) The parking lot and drive will be paved, (2) The drive will comply with INDOT standards, (3) A drainage plan will be provided to the City Engineer's Office, (4) The property will connect to City Utilities, (5) The sign is not to exceed six feet in height and (6) Permanent closure of the driveway leading to the residence. Mr. Bonnell seconded the motion and it carried with a vote of 8-0.

DISCUSSION ITEMS

Mr. Bergman stated that each notification of property owners is different according to the request. Mr. Bergman asked if the notification procedure needs to be changed or receive input from the Commission members to see if they are interested in changing the rules of procedures. Mr. Brand stated he would favor more notification than less and Mr. Fisher agreed with him. This discussion will be continued at the next meeting.

DIRECTOR'S REPORT

LIAISON REPORTS

Written reports were received and discussed.

ADJOURNMENT: 6:30 P.M.

David L. Fisher, President

Steven T. Ruble, Secretary